

Negotiation with the ELN

Analysis of the Second Cycle. Chocó Region



Por la vida
la justicia
y la paz

With the announcement of the negotiation agenda, we find ourselves in a situation where everything is yet to be built. From Cinep/PPP, our focus is on two main aspects: **participation and humanitarian issues.**

The recommendation we make to the negotiating table is to avoid duplicating efforts. **Building peace** is a challenge for the State and its institutions, but in this case, there are mechanisms, both legal and self-managed by communities, that if used promptly, would accelerate the materialization of what is agreed upon at the negotiating table and lend it greater legitimacy.



ELN IN CHOCÓ

Second Monitoring Analysis from Cinep/PPP on the Negotiating Table

1

Second Cycle: The Mexico Agreement

13 February 13,
2023

10 March 10,
2023

The second cycle of negotiations with the ELN began on February 13 and concluded on March 10, 2023. The subsequent cycle will take place in Cuba, following Easter week.

According to the statements issued by the Peace Dialogue Table between the Government and the ELN, the delegations agreed upon a negotiation agenda, based on the negotiation agenda reached with the Santo's Government. The points to be negotiated are as follows:



Participation of Society in Peacebuilding

Objective: Ensure the methodology for the participation of civil society in peacebuilding. That is, the parties at the table will identify key local, regional, and national actors to include them in the deliberative and propositional exercise of peace with the ELN.

This point asserts the intention to include civil society in the process. More clarity is expected in the third cycle regarding the action plan to genuinely incorporate expressions of organized civil society into the process, a concern voiced by various social organizations.



Transformations for Peace

Objective: Propose and implement specific projects, in collaboration with society, to make peace and democracy tangible realities in Colombia.



Victims

Objective: Advocate for the recognition of all victims and the redress of their rights violations to assume responsibilities.



End of Armed Conflict

Objective: Overcome the armed conflict and eradicate violence from politics. To achieve this, it is necessary to carry out a review of the legal status, the security guarantees for ELN's political activities, the eradication of paramilitarism, among other measures.



Democracy for Peace

Objective: Facilitate dialogue among the convened actors and identify the problems caused by political, social, armed, and environmental conflict to formulate integrated solutions.



General Implementation Plan of Agreements between the Government and the ELN

Objective: Implementation, which addresses how to materialize the agreements.

Currently, the delegations are working on defining the Dialogue Agenda to begin addressing point by point. They announced that the points will be addressed in the order in which they were presented on the agenda and that any partial agreements reached will be immediately implemented.

2 ELN in Chocó

The conflict in Chocó is complex, partly due to the presence of several armed groups and structures in the same region. In the case of the ELN, the Western War Front (FGO) brings together several sub-fronts and companies with significant expansion in recent years.

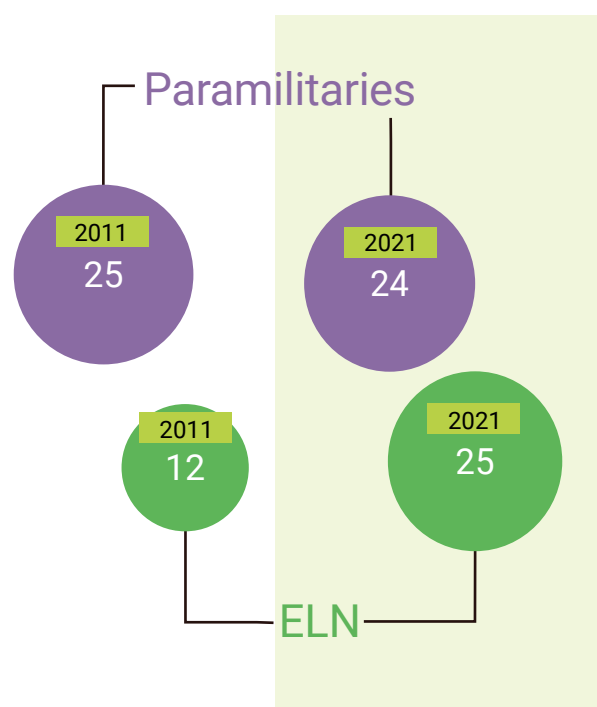
In general terms, **the ELN in Chocó has a strong military structure, but unlike in other regions where it also operates, its political and social influence in Chocó is lower.** This behavior is related to its interest in controlling territorial economies, especially in the cocaine, mining, and timber extraction industries (Cinep, 2022).

The FGO is the result of efforts by the Domingo Laín Front, the Northern Block, and the National Directorate (DN) to expand into this region. Before the expansion of drug trafficking in the late 1980s, the ELN in Chocó was considered more marginal. However, for the past couple of decades, the FGO has been perceived as a militarily strong actor, and therefore economically influential, making it crucial for negotiating and discussing peace with the guerrilla. **Hence, it is important that this front is properly represented at the negotiating table.**

The ELN's involvement in drug trafficking in the 1990s strengthened it economically but distanced it from community processes with which it had been close, as communities opposed the use of the territory for drug cultivation and trade.

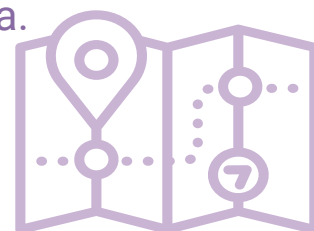
After the signing of the Peace Agreement with the FARC-EP in 2016, communities hoped that armed conflicts would decrease. However, due to shortcomings in the implementation of the Agreement, the territory faces an expansion of other armed groups (paramilitaries and ELN, among others) that have taken over areas historically occupied by the FARC-EP.

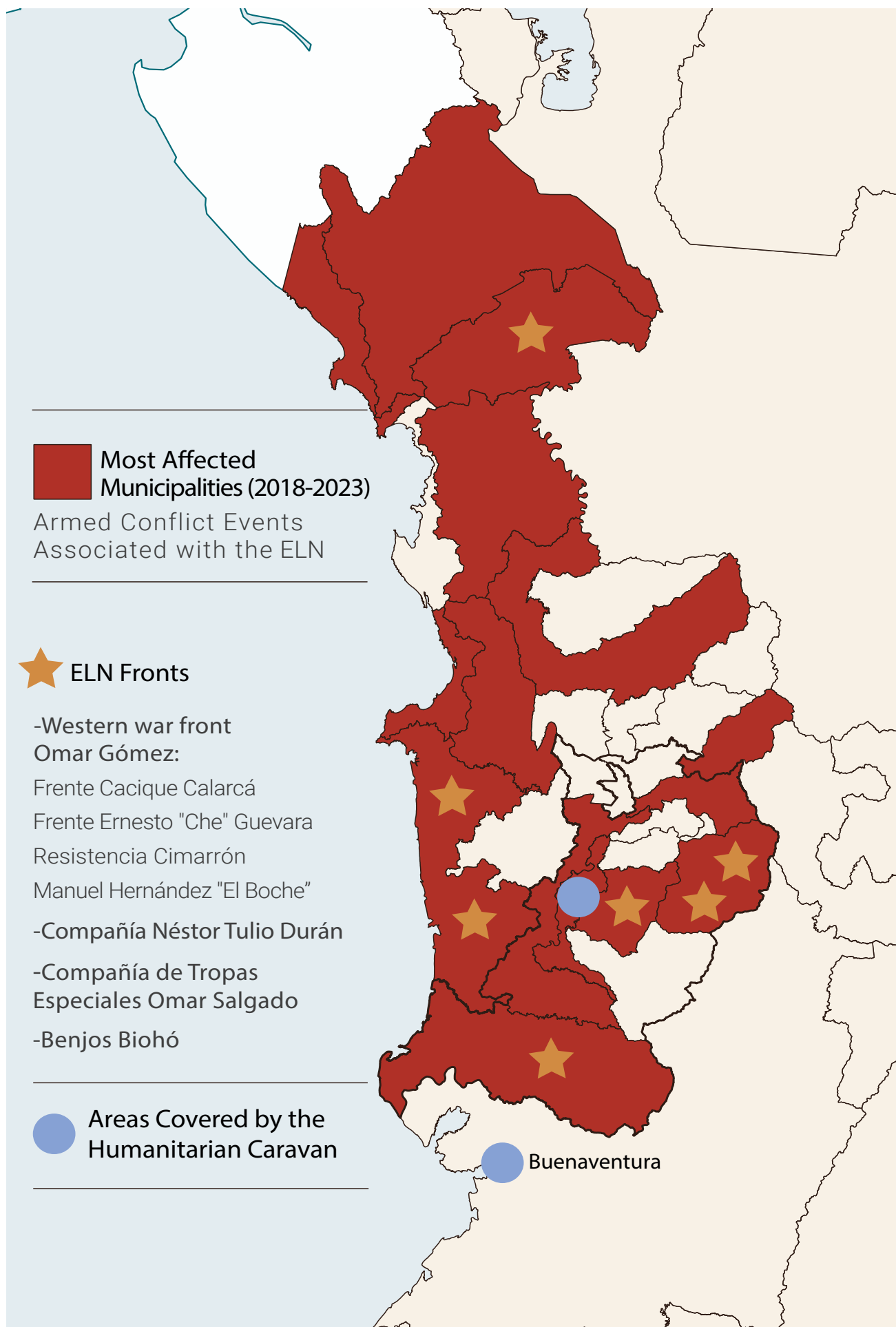
Presence of armed groups throughout the department



Map adapted from: Grillo, M. A., & Guerrero, J. P. (2023). [¿Por qué continúa la guerra en el Chocó?](#). Bogotá: Cinep/PPP.

The FGO is conceived as a military, and therefore economic, force that becomes key to **negotiating** and **speaking about peace** with the guerrilla.





3

Representation of the FGO at the Table

- As mentioned in the [previous analysis](#), making adjustments to representation can have positive effects on reducing humanitarian impacts on civil society.
- Considering the trajectories of FGO structures and the recent armed strikes in Chocó, it is important for these structures to have more direct representation at the table¹.
- This assertion aims to strengthen the legitimacy of the ELN delegation. Including the FGO, even nominally, helps diminish the incentives that Chocó structures have for engaging in acts with high humanitarian impacts such as armed strikes. **Involving them directly in the negotiation process includes them in the exercise of assuming responsibilities for reducing humanitarian effects on civil society.**
- On the subject, it is noteworthy that during the second cycle, there were no significant changes or efforts to include greater representation in the ELN delegation of those structures with concerns and behaviors that strain the negotiation.

4

Participation: the role of Chocoan civil society

Chocó is characterized by the strong organizational power of Community Councils, Indigenous Reserves, and other organizational expressions recognized as authorities in the territory and with significant legitimacy in Chocoan civil society.

These organizational forms are a historical testament to the territorial ownership that communities have managed to defend amidst conflict. The department's **organizational strength** makes it a key element for peace.

Participation cannot wait. One of the key lessons from the 2016 peace agreement is that we cannot wait until the peace agreement is signed to start including civil organizations. It is necessary for them to be present during the process, before the agenda is closed or key points have been addressed. **For the Total Peace policy to truly work, it is necessary for the territorial experiences that have been working in the region to be recognized, based on the demands and action plans they have already proposed.**

The organization in the department has a long history: since 2001, organizations have been working on a regional peace proposal. This proposal² includes an agenda with several strategic axes that contain keys on how to achieve a negotiated solution to political, social, and armed conflicts in the territory. In 2017, that peace agenda materialized into the ¡Ya! Chocó Humanitarian Agreement. Since then, it has been recognized by both the government and armed groups.

This precedent is a fundamental basis for the construction of humanitarian relief, the participation of civil society at the table, and the materialization of future agreements.

¹ See: <https://www.elespectador.com/colombia-20/paz-y-memoria/francia-marquez-comunidades-del-choco-piden-a-vicepresidenta-proteccion-por-crisis-en-el-san-juan-agc-eln/>

² See: <https://www.forointeretnico.com.co/wp-content/uploads/Propuesta-de-Acuerdo-Humanitario-Ya-para-el-Choc%C3%B3.pdf>

5

Balance of the humanitarian

Days before the start of the second cycle, a humanitarian caravan was held in the Bajo Calima region of Valle del Cauca and the San Juan region of Chocó, with delegates from the Government, the ELN, the church, and international organizations. Voices of the civilian population affected by the conflict, especially by the recent armed strikes of the FGO in the area, were collected there. The diagnosis of the caravan would serve as input for the table and the implementation of short-term humanitarian actions. **This can be an effective model for listening to the population, as a direct transmission channel of messages to the negotiation table.** However, some implications of the caravan should be noted:

One of the major concerns is that there has not been a process of socializing the caravan report with the communities before being taken to the negotiation table. At the end of this second cycle, it was announced that Vice President Francia Márquez, the Catholic Church through the Episcopal Conference, the OAS Mission to Support the Peace Process, and the Public Defender's Office will be the ones to develop a humanitarian corridor along the San Juan River to ensure the supply and mobility of the war-torn territory. Once again, **the call is to involve the community in this process, as their knowledge and proposals on how these humanitarian reliefs should be carried out are fundamental...**



6

Messages from the region

Following an exchange with experts and leaders from the department, some messages that want to be transmitted from Chocó to the table focus on three key points:



Participation

Avoid duplicating efforts. The Government and the delegations have expressed their desire to build on what has been achieved and to include civil society in the negotiations. However, the communities of Chocó have concrete, materialized mechanisms³ that have sufficient legitimacy to proceed on issues of humanitarian agreements and civil participation.

Peace is made between armed actors, but it is built with the people.

³ See: <https://www.forointerretnico.com.co/wp-content/uploads/Propuesta-de-Acuerdo-Humanitario-Ya-para-el-Choc%C3%B3.pdf>



Humanitarian Agreements

The humanitarian crisis in the regions is urgent. Mechanisms for the cessation of hostilities are needed, which cannot wait as the peace negotiations are progressing. Total Peace is the key to being able to dialogue with various actors and cease gunfire.

There are many armed actors in the territory, and humanitarian actions taken to **humanize the conflict** and implement are necessary to need to have a multi-actor reading.

It is necessary to have clarity on what will happen in the territories while the agenda points are being negotiated.



Communication

Just as information goes up to the table, it must come down to the participating territories.

Following the experience of the Humanitarian Caravan, and now that the negotiation agenda has been made public, it is imperative to improve communication between the table, the government, and the communities. Participation must include a component of disseminating the Mexico Agreement and all decisions made. Otherwise, it undermines the legitimacy of the negotiation process.



Recommendations from Cinep/PPP

Methodological Recommendation

Avoid duplicating efforts. Disarmament and the transformation of a conflict poses many challenges for the State and its institutions; however, there are mechanisms, both legal and self-managed by communities, that will accelerate the materialization of what is agreed upon at the table. For example, the mechanisms provided by the new "Total Peace Law" (Ley de Paz Total) Law 2272 of 2022, which enables peace regions, or the Humanitarian Coordinator approved by the High Commissioner for Peace⁴. The recommendation is:

Pay more attention to what already exists and rely on those initiatives to truly build on what has been done.

Recognizing victims from the beginning of the negotiation is crucial. The ELN was recognized as an armed organization of a political nature, which must involve recognizing the harms that, within the framework of the armed conflict, it has caused to civil society. Negotiation or humanitarian spaces must be in function of the recognition, by all parties, of responsibilities towards the victims.



References

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⁴ See: <https://www.forointerretnico.com.co/wp-content/uploads/Propuesta-de-Acuerdo-Humanitario-Ya-para-el-Choc%C3%B3.pdf>